



# City of Diamond Bar

21825 Copley Drive • Diamond Bar, CA 91765-4178

(909) 839-7000 • Fax (909) 861-3117

[www.CityofDiamondBar.com](http://www.CityofDiamondBar.com)

June 24, 2005

Violet Varona-Lukens, Executive Officer/Clerk  
LAC Board Of Supervisors  
Room 383 Hall of Administration  
500 West Temple Avenue  
Los Angeles, CA 90012

SUBJECT: General Municipal Election Resolutions for November 8, 2005

Dear Ms. Varona-Lukens:

At their meeting of June 21, 2005, the Diamond Bar City Council adopted the following resolutions:

Resolution No. 2005-32, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2005 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES;

Resolution No. 2005-33, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2005, WITH THE SCHOOL ELECTION TO BE HELD ON THE DATE PURSUANT TO §10403 OF THE ELECTIONS CODE; and

Resolution No. 2005-34, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENT SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2005.

**Wen P. Chang**  
*Mayor*

**Deborah H. O'Connor**  
*Mayor Pro Tem*

**Carol Herrera**  
*Council Member*

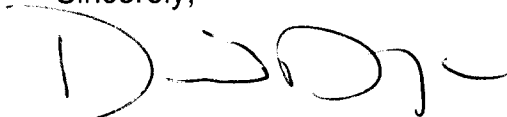
**Jack Tanaka**  
*Council Member*

**Bob Zirbes**  
*Council Member*

Letter to Ms. Violet Varona-Lukens, Executive Officer/Clerk  
LAC Board Of Supervisors  
SUBJECT: General Municipal Election Resolutions for November 4, 2003  
June 24, 2005  
Page Two

A certified copy of each resolution is enclosed. If there is any other information required at this time, please contact me, 909/839-7012. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Doyle', with a large loop at the beginning and a horizontal line extending to the right.

David A. Doyle  
Asst. City Manager

DAD/tc

Enclosures (3)

**RESOLUTION NO. 2005- 32**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2005, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 8, 2005, for the election of Municipal Officers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Diamond Bar, California, on Tuesday, November 8, 2005, a General Municipal Election for the purpose of electing three (3) Members of the City Council for the full term of four years.

SECTION 2. The ballots to be used at the election shall be in form and content as required by law.

SECTION 3. The City Clerk or his or her designee is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

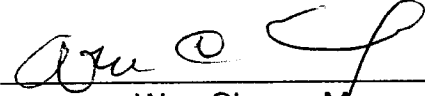
SECTION 4. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

SECTION 5. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

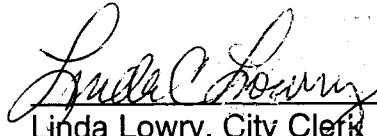
SECTION 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED ON June 21, 2005.

  
Wen Chang, Mayor

I, LINDA LOWRY, City Clerk of the City of Diamond Bar, do hereby certify that the foregoing Resolution was passed, adopted and approved at a regular meeting of the City Council of the City of Diamond Bar held on the 21<sup>st</sup> day of June, 2005 by the following vote:

AYES: COUNCIL MEMBERS: Herrera, Tanaka, Zirbes,  
MPT/O'Connor, M/Chang  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None  
ABSTAIN: COUNCIL MEMBERS: None

  
Linda Lowry, City Clerk

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES } SS  
CITY OF DIAMOND BAR

I, LINDA C. LOWRY, CITY CLERK OF THE CITY OF DIAMOND BAR, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FORGOING TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL AS SAME APPEARS ON FILE IN MY OFFICE.

IN WITNESS WHEREON, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE CITY OF DIAMOND BAR, THIS 23<sup>rd</sup> DAY OF June, 2005

LINDA C. LOWRY, CITY CLERK

BY   
DEPUTY

**RESOLUTION NO. 2005- 33**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2005, WITH THE SCHOOL ELECTIONS TO BE HELD ON THE DATE PURSUANT TO §10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of Diamond Bar called a General Municipal Election to be held on November 8, 2005, for the purpose of the election of three Members of the City Council;

WHEREAS, it is desirable that the General Municipal Election be consolidated with the School elections to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DIAMOND BAR DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the School elections on Tuesday, November 8, 2005, for the purpose of the election of three Members of the City Council.

SECTION 2. The county election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

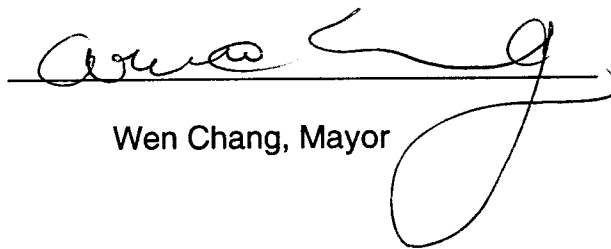
SECTION 3. The Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. The City of Diamond Bar recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 5. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

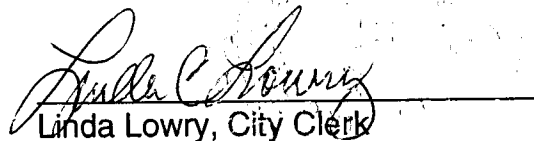
SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED ON June 21, 2005.

  
Wen Chang, Mayor

I, LINDA LOWRY, City Clerk of the City of Diamond Bar, do hereby certify that the foregoing Resolution was passed, adopted and approved at a regular meeting of the City Council of the City of Diamond Bar held on the 21<sup>st</sup> day of June, 2005, by the following vote:

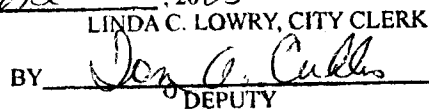
AYES: COUNCIL MEMBERS: Herrera, Tanaka, Zirbes,  
KPT/O'Connor, M/Chang  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None  
ABSTAIN: COUNCIL MEMBERS: none

  
Linda Lowry, City Clerk

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } SS  
CITY OF DIAMOND BAR

I, LINDA C. LOWRY, CITY CLERK OF THE CITY OF DIAMOND BAR, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FORGOING TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL AS SAME APPEARS ON FILE IN MY OFFICE.

IN WITNESS WHEREON, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE CITY OF DIAMOND BAR, THIS 23<sup>rd</sup> DAY OF June, 2005

LINDA C. LOWRY, CITY CLERK  
BY   
DEPUTY

## **RESOLUTION NO. 2005-34**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8 2005.

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

### **Section 1. General Provisions.**

Pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Diamond Bar on November 8, 2005, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

### **Section 2. Foreign Language Policy.**

A. Candidates' statements, pursuant to State law, may be translated and printed in Spanish and included in the Sample Ballot and Voter Information Pamphlet, if requested and paid for by the candidate.

B. Pursuant to the Voting Rights Act of 1965, as amended, and consistent with the practices of the Los Angeles County Registrar/Recorder, if a qualifying minority language equals 3 percent or more of voting age residents the County will translate and post a facsimile of an official sample ballot in the qualified language in the affected polling place and mail minority language Ballot Information Booklets to voters requesting such material

### **Section 3. Payment.**

A. The candidate shall be required to pay for the cost of printing the candidate's statement in the Sample Ballot and Voter Information Pamphlet. If the candidate requests inclusion of a Spanish translation of his or her statement in the Sample Ballot and Voter Information Pamphlet, those costs will be borne by the candidate.

B. The candidate shall not be required to pay for the cost of translating the candidate statement into any foreign language as specified in Section 2B above.

C. The City Clerk shall estimate the total cost of printing, handling, translating and mailing candidates' statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965, as amended, and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the Sample Ballot and Voter Information Pamphlet. The estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the City Clerk shall require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

#### **Section 4. Additional Materials.**

No candidate will be permitted to include additional materials in the sample ballot package.

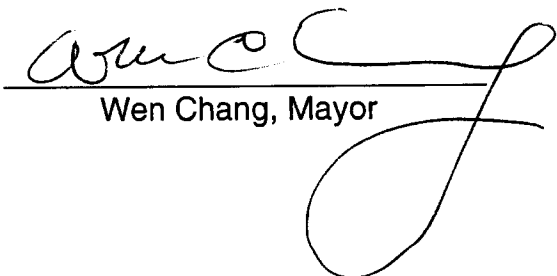
**Section 5.** The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nomination papers are issued.

**Section 6.** All previous resolutions establishing Council policy on payment for candidates' statements are repealed.

**Section 7.** This resolution shall apply only to the election to be held on November 8, 2005, and shall then be repealed.

**Section 8.** The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED ON June 21, 2005.

  
Wen Chang, Mayor



I, Linda Lowry, City Clerk of the City of Diamond Bar, do hereby certify that the foregoing Resolution was passed, adopted and approved at a regular meeting of the City Council of the City of Diamond Bar held on the 21<sup>st</sup> day of June, 2005 by the following vote:

AYES: COUNCIL MEMBERS: Herrera, Tanaka, Zirbes, MPT/O'Connor,  
M/Chang  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None  
ABSTAIN: COUNCIL MEMBERS: None


ATTEST:   
Linda Lowry, City Clerk

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } SS  
CITY OF DIAMOND BAR

I, LINDA C. LOWRY, CITY CLERK OF THE CITY OF DIAMOND BAR, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FORGOING TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL AS SAME APPEARS ON FILE IN MY OFFICE.

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LINDA C. LOWRY, CITY CLERK

BY   
DEPUTY

FILED

2005 JUN 27 AM 11:15

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES